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April 21, 2022

**BY ECF**

Hon. Jennifer E. Willis  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, N.Y. 10007-1312

Re: *Wonzer, et. al. v. Hernandez No. 1:20-cv-10836-JPC-JW*

Dear Judge Willis:

Plaintiffs are trying to salvage their completely legally and factually unsupported submissions on the Inquest in the above matter by appealing to the Court's emotions with contrived arguments that, because Defendant Hernandez has released music to support his livelihood, he has somehow directed generic lyrics in a rap song at Plaintiffs. Plaintiffs' tortured attempt to make something out of nothing and at the same time violate Defendant Hernandez's First Amendment rights must not be countenanced by this Court.

While the lyrics may be coarse and generally offensive in polite society, there is no support at all that Plaintiffs are the subject of the song GINÉ's lyrics. So-called "diss" songs have been commonplace in the rap music genre for decades. Hip-hop is a culture built around machismo and bravado, so backing down or losing a battle is detrimental to an artist's career. For example, the 1990 classic, and Grammy-winning "diss" song by legendary hip hop artist LL Cool J, called "Mama Said Knock You Out." It is considered one of the best diss tracks of all-time.<sup>1</sup>

During the days immediately following GINÉ's release on April 15, 2022, various Hip Hop publications explained the meaning of the song's lyrics, and who the lyrics actually refer to (including rapper Lil Durk.)<sup>2</sup>

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1. <https://classichiphopmagazine.com/88-90-reviews/2018/6/14/how-classic-is-ll-cool-js-mama-said-knock-you-out-album-review>. ("The track also serves as a diss track to a few of his rivals at the time such as MC Hammer, Kool Moe Dee, and Ice-T. It's considered one of the best diss tracks of all-time."). **EXHIBIT A**.

2. For example, see "The Meaning Behind 'GINÉ' – 6ix9ine", by Pankaj Dhondhiyal, posted on 04/19/2022, <https://songexplain.com/meaning-behind-gine-6ix9ine>. ("The hard-hitting track sees the Brooklyn

Hon. Jennifer E. Willis  
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Even without this background knowledge, there is absolutely nothing in the lyrics to GINÉ that could remotely be construed to refer to either Plaintiff in this action.

Furthermore, to suggest that these lyrics somehow undercut the remorse Defendant has over the event in question is equally preposterous and underscores the desperation of Plaintiffs.

Finally, to suggest that Mr. Hernandez's admittedly fictitious publicity stunt concerning cash money and cars, to suggest a lifestyle that does not exist, given the sworn affidavits before the Court attesting to the reality of his financial situation, is just one more desperate attempt by Plaintiffs to improperly salvage Plaintiffs' totally inadequate proffer at the Inquest. The use of expensive luxury items or money in rap videos is part of the culture of that music genre, is usually not real, and is used to conceal the actual financial condition of the artist.

"Rap is deeply rooted in outspoken, unapologetic braggadocio, but the extravagance that comes with the entertainment is often misleading. For many rappers, living comfortably or simply quietly maintaining is the goal. No matter what they tell you on wax, each participant and practitioner in and of the culture is dealing with his or her own extremely nuanced situation.

In hip-hop, the topic of money is almost always an armor of boasts. The best braggers can turn their exaggerated claims into entertainment gold. There is an attraction to the bragging, but more often than not realism is lost in the posing of opulence. That's why I appreciate Isaiah Rashad revealing that it wasn't until fellow TDE rapper Jay Rock's 2016 motorcycle accident, which resulted in Rashad receiving the remainder of Rock's open tour dates, that he able to find his financial footing."

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rapper reignite his beef with Lil Durk, as he taunts the Chicago rapper's longtime friend and collaborator, King Von, who was fatally shot in November 2020.") **EXHIBIT B.**

See also "Tekashi 6ix9ine Sends Not So Subliminal Shot At Lil Durk In "GINE" Video", posted 4/15/2022, <https://allhiphop.com/news/tekashi-6ix9ine-sends-not-so-subliminal-shot-at-lil-durk-in-gine-video/> ("The track references the death of Lil Durk's longtime friend and collaborator King Von, who was shot and killed in 2020.") **EXHIBIT C.**

See also "6ix9ine – GINÉ | Lyrics Meaning Revealed", by Adam McDonald, posted 4/17/2022, <https://justrandomthings.com/2022/04/17/6ix9ine-gine-lyrics-meaning-revealed/> ("Six9ine might be talking about rapper Lil Durk who was involved in a home-invasion shootout in the rapper's home in Atlanta.") **EXHIBIT D.**

See also "6ix9ine Returns With New Song and Video for "GINE", by Brad Callas, posted 4/15/2022, <https://www.complex.com/music/6ix9ine-gine> ("The hard-hitting track sees the Brooklyn rapper reignite his beef with Lil Durk, as he taunts the Chicago rapper's longtime friend and collaborator, King Von, who was fatally shot in November 2020.") **EXHIBIT E.**

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“These Rappers Are Not Rich, Bro”, DJBooth.com, by Yoh Phillips, July 12, 2018, <https://djbooth.net/features/2018-07-12-rappers-are-not-all-rich>. **EXHIBIT F.**

Mr. Hernandez explained in a recent interview that the cash used in the GINÉ video money was a prop, and the use of such props was solely to entertain his fans. “Tekashi explained why he felt compelled to fake his wealth, stating, “I’m an entertainer, and obviously, we are talking about it. So, I did a pretty good job entertaining people.” “Tekashi 6ix9ine Admits To Flashing Fake Money In Social Media Posts”, by Alexandra Sakellariou, posted 4/19/2022. <https://www.therichest.com/luxury/tekashi-fake-money-social-media-millions-debt/>. **EXHIBIT G**

Mr. Hernandez, whose professional name is 6ix9ine (formerly Tekashi 6ix9ine), is known for his antics in social media. Some media experts have called him a marketing genius since, love him or hate him, he knows how to get you to pay attention to what he is doing. See “The Marketing Genius Behind Tekashi 6ix9ine”, by Sean Kelly, 11/28/2018, [https://medium.com/@seankelly\\_57067/the-marketing-genius-behind-tekashi-6ix9ine-8e337920e4ea](https://medium.com/@seankelly_57067/the-marketing-genius-behind-tekashi-6ix9ine-8e337920e4ea) (“Everything about 6ix9ine, from his music to his branding, revolves around the topic of controversial debate, whether he is initiating an Instagram live war with your favorite rapper, tattooing the number ‘69’ on his body, or putting out questionable content on social media, he is constantly in your face- and that “in your face” style of content *works*.) **EXHIBIT H.**

Mr. Hernandez is attempting to dig his life out of the hole he has admittedly put himself into. In order to succeed in the rap music industry, artists have to present a persona that is decadent and offensive. Any attempts by Defendants and their Counsel to use this Court to dictate how Defendant pursues rehabilitating his career through the music that is the lifeblood of his profession not only infringes Defendant’s First Amendment rights, but quite possibly violated New York’s Anti-SLAPP law.

Defendant Hernandez requests that this Court reject Plaintiffs’ demand to improperly supplement the record with unsupportable claims and rule based upon the proper evidentiary record before the Court.

Sincerely,

MELONI & McCAFFREY APC



By: \_\_\_\_\_  
Robert S. Meloni

cc: All counsel by ECF and Fed Ex.

## EXHIBIT A

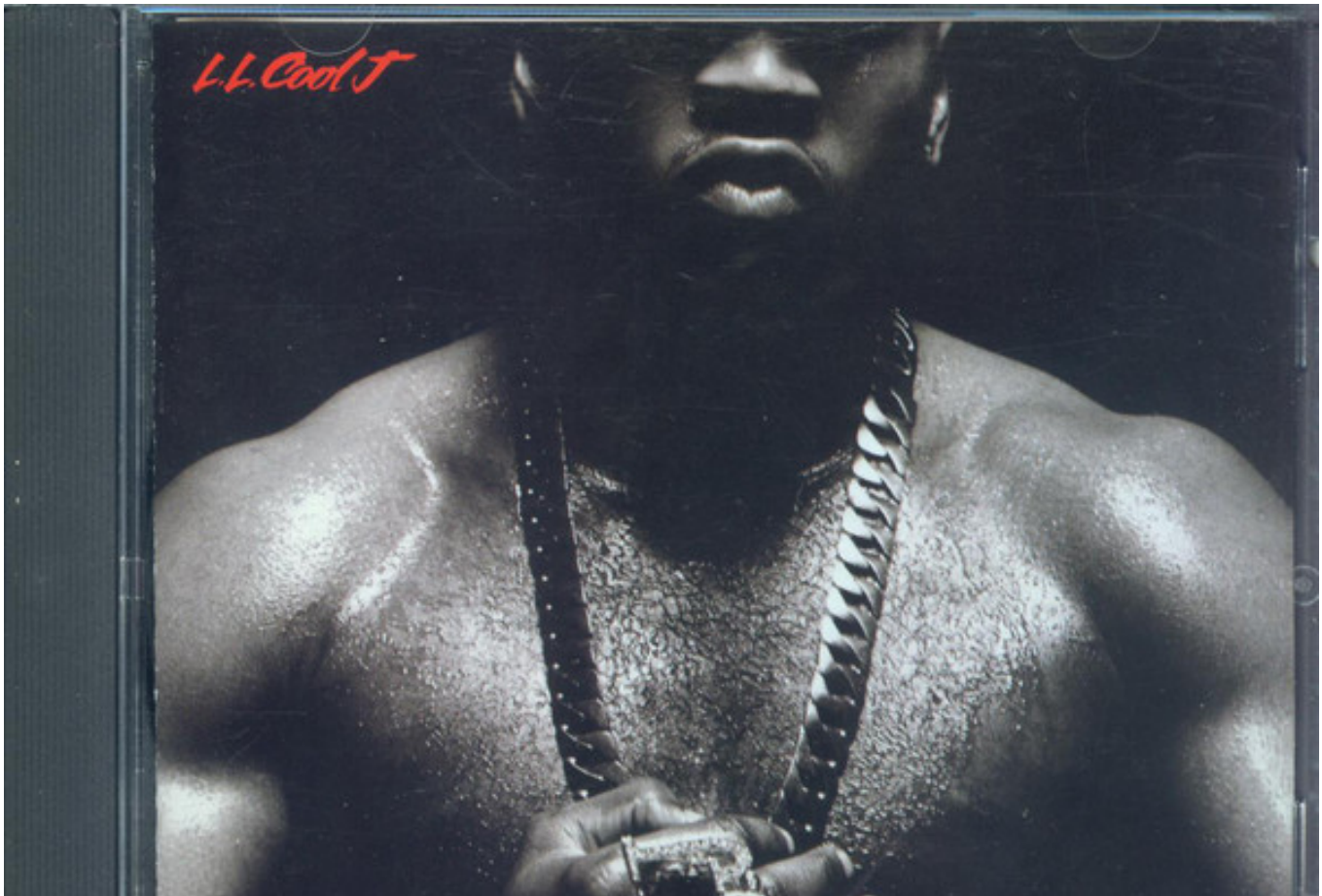


CLASSIC HIP HOP MAGAZINE



JUNE 14, 2018

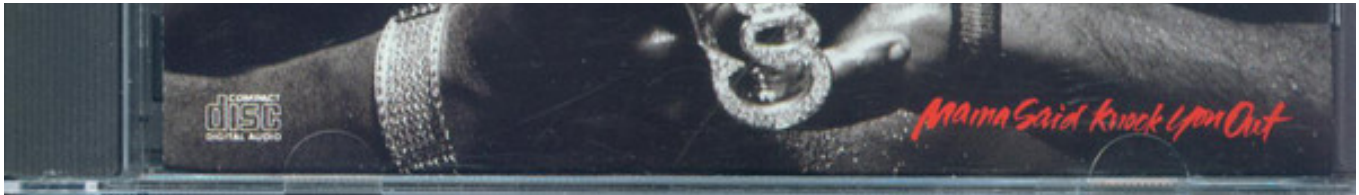
DON'T CALL IT A COMEBACK: LL COOL J'S MAMA SAID KNOCK YOU OUT ALBUM REVIEW



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CLASSIC HIP HOP MAGAZINE



CLASSIC RATING: 4 OUT OF 6

Back in 1990, LL Cool J felt that he couldn't compete with the new era of gangsta rappers, several of them had even dissed him in their songs. LL was so troubled by this that he sat down to talk to his grandmother about it. Luckily she had some good advice for Todd when she told him, "Oh baby, just knock them out!" referring to his critics. She told him that she believed in his talent and this inspired LL to go hard, yet stay true to himself. And it paid off, both commercially and critically.

*Mama Said Knock You Out* was released on August 28, 1990, and is LL Cool J's fourth album. "To Da Break of Dawn" was the first single and it didn't chart anywhere except Australia of all places! However, this was before the release of the actual album and it can be seen as a "testing the waters" single. It was also included in the Kid 'n Play's movie *House Party* from 1990. The track also serves as a diss track to a few of his rivals at the time such as MC Hammer, Kool Moe Dee, and Ice-T. It's considered one of the best diss tracks of all-time.



Advertisement

The second single, "The Boomin' System" was released about three weeks before the album, but neither this track managed to cause any damage on the charts. One could assume that LL and the record company were starting to get anxious about the lack of a hit, so they decided to release a smoother track. And that was a smart move because "Around The Way Girl" was the hit they had been looking for, peaking at #9 and becoming LL's first ever top 10 hit. The lyrics are relatable and are all about LL searching for a streetwise girl to form a relationship with. Throughout the song, LL describes the exact features that he's looking for in this girl and it all flows well over a mellow yet highly danceable beat.

LL Cool J - Mama Said Knock You Out (Official Music Video)



#### CLASSIC HIP HOP MAGAZINE

half a year after the album's release they dropped the single, which is one of LL's most popular songs until this day. It only waited seventy, however, and is likely due to the album having been out for so long at this point. The story behind the song is that LL got the chorus lyric from his grandmother who told him "to knock out" his critics!

Both LL and the record company still wonder what would've happened had they released "Mama Said Knock You Out" immediately and then dropped "Around The Way Girl" as a follow-up. In hindsight, they know this would've been the best thing to do, but at the time they were too unsure. It's reasonable to assume the album, *Mama Said Knock You Out* could have sold even more than it's double platinum status. Considering that LL's sophomore album sold to triple platinum, but times had changed a lot since 1987, so who knows really?



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#### How Classic Is LL Cool J's Mama Said Knock You Out?

## EXHIBIT B

**Song Explain**[\(https://songexplain.com/\)](https://songexplain.com/)

## The Meaning Behind "GINÉ" – 6ix9ine

by Pankaj Dhondhiyal (<https://songexplain.com/author/ipobazaarr>) | Posted on 04/19/2022  
(<https://songexplain.com/meaning-behind-gine-6ix9ine>)

### Find a Location Near You Hawaiian Bros Island Grill

After a long time American rapper Daniel Hernandez, known professionally as 6ix9ine and formerly as Tekashi69, is back with "GINÉ" (titled after an energy drink with the same name), and this title is just an advertisement for GINÉ Energy. The track was released as his first single in a year-and-a-half. Talking about his song before this one was titled "ZAZA," and was released in February 2021. Now the rapper is ready to set the industry on fire. He might have the right reasons for the hiatus – having to battle his legal wars, and in March 2022, citing that the rapper was struggling to make ends meet.

Tekashi – in sworn documentation – told the court that he's broke. **Tekashi told the court** (<https://mtonews.com/tekashi-6ix9ine-officially-broke-says-in-sworn-statement-i-am-struggling-to-make-ends-meet>), "I did receive large advances under the recording artist and merchandising agreements prior to my arrest. However, I do not receive any royalties under those agreements either since my royalty accounts remain unrecouped." He added "Right now, I am struggling to make ends meet. I do not know if I will ever command the kind of advances I was paid before my arrest, and my career stalled." Finally he said this in the sworn document, "Right now, I am struggling to make ends meet. I do not know if I will ever command the kind of advances I was paid before my arrest, and my career stalled. So, this sponsorship for his latest song and music video makes sense.

### Find a Location Near You Hawaiian Bros Island Grill

#### Listen "GINÉ" here

6IX9INE - GINÉ (Official Music Video)



### Find a Location Near You Hawaiian Bros Island Grill

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Wash It All Away Song Meaning – Five Finger Death Punch (<https://songexplain.com/wash-it-all-away-song-five-finger-death-punch>).

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Kamli Song English Meaning – Mankirt Aulakh (<https://songexplain.com/kamli-song-english-meaning-mankirt-aulakh>).

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The new track follows last year's 'G6000', 'Roll', 'Yaya' and 'Punah', which all appeared on the rapper's second album, 'TattleTales', and came after he was given early release from prison in April.



The track shows 6ix9ine raps about his experience and involvement with the Nine Trey Bloods, namely the various shootings and robberies he was involved in. In the lyrics of “GINÉ,” the rapper is still on his ‘king of the streets’ attitude. He openly said that he is still the baddest gangster on in the town.

*Your man got shot, you made a diss track  
Go get a gun and get some get back*

In these lines, Six9ine is talking about rapper Lil Durk who was involved in a home-invasion shootout in the rapper's home in Atlanta.

*“Your man got shot, you made a diss track/Go get a gun and get some get back/Your man got shot, he not coming back/Go get a gun and get some get back,”*

The hard-hitting track sees the Brooklyn rapper reignite his beef with Lil [Durk](https://www.complex.com/tag/lil-durk), as he taunts the Chicago rapper's longtime friend and collaborator, King [Von](https://www.complex.com/tag/king-von), who was fatally shot in November 2020.

Also, at the 1-minute 25-second timestamp of the music video, Six9ine adds a ‘Slide 4 Von’ screen, seemingly continuing his mockery of the late rapper King Von. The duo had an industry beef for years. Both Lil Durk and King Von were friends but Six9ine claims that Lil Durk never stood up for his friend's death.

## What is “GINÉ ENERGY”?

Ginè Energy was created to provide a clean, effective, and delicious fuel boost to help you through your day and keep the party going at night. The clean formulas, rich in electrolytes and fortified with vitamins, provide a refreshing taste experience in a range of exceptional flavors.

Founded by a team with global experience across the night life, beverage alcohol, cosmetics, and advertising sectors, and backed by major celebrities, Ginè embraces the new era with a sleek, luxurious design that integrates perfectly with high end venues and your elevated lifestyle.

English Song (<https://songexplain.com/category/english-song-meaning>)

## Related Posts

## EXHIBIT C

Tekashi 6ix9ine Sends Subliminal Shots to Lil Durk In 'GINÉ' Video

## TEKASHI 6IX9INE Trolls King Von's Murder ... SENDS SHOTS AT LIL DURK IN MUSIC VID!!!

1.3K

4/15/2022 1:29 PM PT



TMZ.com

**Tekashi 6ix9ine** is full steam ahead resuming his rap career, following a hiatus spurned by his 2020 Tattletales album ... which the culture stamped a sophomore slump.

For his new video 'GINÉ', all the Tekashi tricks appear to be intact: voluptuous models twerkin' in murky paint water, multi-colored backdrops and beef. Plenty of it.

Midway in the video at the 1:25 mark, 6ix9ine snuck in the message "Slide 4 Von" -- a reference to **Lil Durk** wanting to avenge **the death** of his slain OTF artist **King Von**.

The video also serves as a marketing vehicle for an energy drink of the same name,



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and if you blink, you just might miss it.



[YouTube / Tekashi 6ix9ine](#)

Von was killed in November 2020 during an altercation with Georgia rapper -- and **NBA YoungBoy** affiliate -- **Quando Rondo's** crew. Hence the ongoing feud between Durk and Youngboy.

His posthumous album "What It Means to Be King" still managed to impress fans enough to reach No. 2 on the Billboard 200 chart upon its release.

6ix9ine, on the other hand, has ZERO dogs in the fight but still timed the disrespectful King Von message to coincide with his Durk-aimed lyrics, "You a bitch, I know you wouldn't rob for your homie. I knew you wouldn't ride by your doley."

Lil Durk famously dismissed 6ix9ine on **Drake's** "Laugh Now, Cry Later" single back in 2020 -- so this beef's been cooking for a while now.

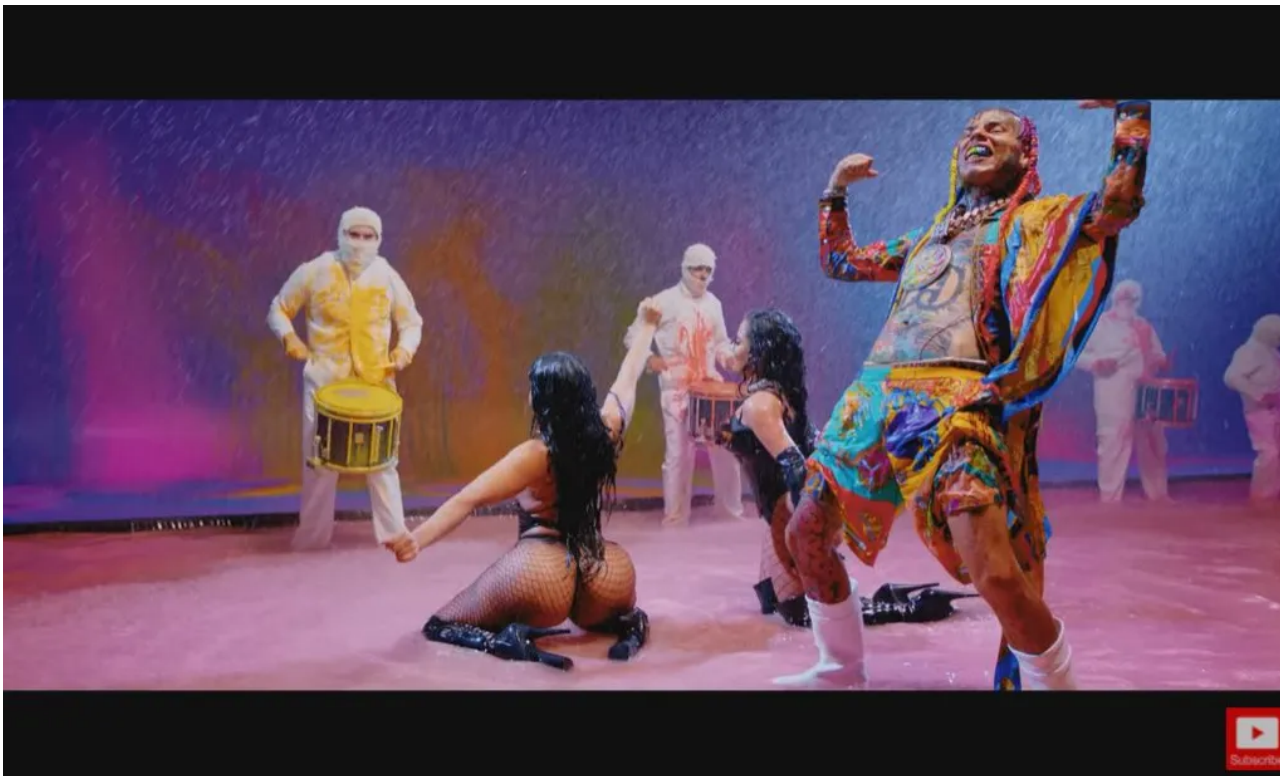
Below the belt or not, it would benefit Tekashi for the song to do well. He's currently **facing a \$2 million lawsuit** for breaching a concert contract.

## EXHIBIT D



## Justrandomthings

lyrics reviews and song meanings



[NEW MUSIC VIDEOS](#) [NEW RELEASES](#) [NEW SONGS](#)

### 6ix9ine – GINÉ | Lyrics Meaning Revealed

April 17, 2022 / [Adam McDonald](#)

The legend of the bizarre naming convention continues. Six9ine is back with another song and a music video titled “GINÉ.” And this title is just an advertisement for GINÉ Energy, an energy drink company. There might be a story behind this sponsorship.

American rapper Daniel Hernandez, AKA 6ix9ine and formerly as Tekashi69, made his musical comeback with his first release in a year-and-a-half. His last track was titled “[ZAZA](#),” and was released in February 2021. He might have the right reasons for the hiatus – having to battle his legal wars, and in March 2022, citing that the rapper was struggling to make ends meet.

Six9ine revealed in a recent [court hearing](#): “I did receive large advances under the recording artist and merchandising agreements prior to my arrest. However, I do not receive any royalties under those agreements either since my royalty accounts remain unrecouped.” He also added “Right now, I am struggling to make ends meet. I do not know if I will ever command the kind of advances I was paid before my arrest, and my career stalled.”

Six9ine's music videos contain the same script. Some voluptuous women in bikinis flaunt their curves while Six9ine dresses up in flashy clothes and performs his aggressive lyrics. However, the "GINÉ" music video lacks a little spark compared to his previous videos such as "[TUTU](#)," "[GOOBA](#)" or "[TROLLZ](#)" with Nicki Minaj. Let's see if his new song brings in some traction for the rapper.

In the lyrics of "GINÉ," the rapper has not lost his 'king of the streets' attitude. He openly claims that he is still the baddest gangster on the streets.

“*I shot at all y'all rappers, real life, no cap  
The feds charged me for that, a whole f\*ckin' case*”

This is not fiction. On January 23, 2019, Tekashi confessed in court to his involvement in the 2018 [shooting of rapper Chief Keef](#) during his stay in New York. For both rappers' fortune, the shooter missed his mark, leaving Chief Keef unharmed.

“*Your man got shot, you made a diss track  
Go get a gun and get some get back*”

In these lines, Six9ine might be talking about rapper Lil Durk who was involved in a home-invasion shootout in the rapper's home in Atlanta.

Also, at the 1-minute 25-second timestamp of the music video, Six9ine adds a 'Slide 4 Von' screen, seemingly continuing his mockery of the late rapper King Von. The duo had an industry beef for years. Both Lil Durk and King Von were friends but Six9ine claims that Lil Durk never stood up for his friend's death.

Is this the comeback of Six9ine or just his final hoorahs? Let us know in the comments below. Check out the complete lyrics on [Genius](#).

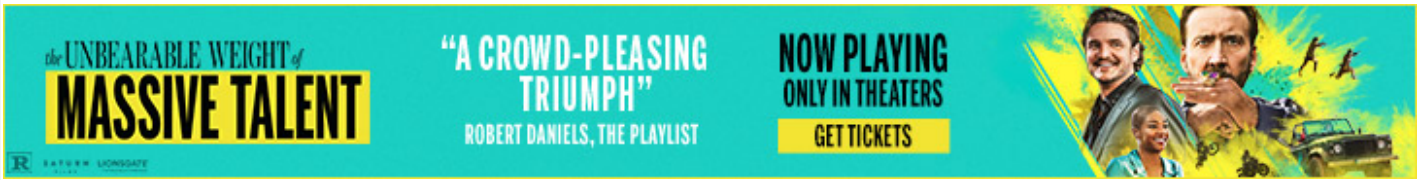
Tags: [6ix9ine](#)

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## EXHIBIT E



# COMPLEX



## 6ix9ine Returns With New Song and Video for “GINÉ”



BY [BRAD CALLAS](#)

Apr 15, 2022



COMMENT



Video via [6ix9ine](#)



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NICK CAGE

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**MASSIVE TALENT**

ONLY IN THEATERS  
THIS WEEKEND  
GET TICKETS



Just a week after teasing his return, [6ix9ine](#) is back with the music video for his new single “GINÉ.”

The hard-hitting track sees the Brooklyn rapper reignite his beef with [Lil Durk](#), as he taunts the Chicago rapper’s longtime friend and collaborator, [King Von](#), who was fatally shot in November 2020.

“Your man got shot, you made a diss track/Go get a gun and get some get back/Your man got shot, he not coming back/Go get a gun and get some get back,” 6ix9ine raps at the midway point of the song.

6ix9ine took to Instagram on Friday to celebrate its release, writing, “The King of New York is backkkk!!!! I shot at all ya rapper in real life, no cap. The feds charge me for that, a whole fucking case!!!! All facts!!”

## RELATED STORIES

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### FEATURE

What You'll Learn in the New Book About Tekashi 6ix9ine

### FEATURE

Will 6ix9ine Have a Future in Music?

6ix9ine Announces Return and New Music, Claims 'The King of New York Is Back'

In tandem with the release, it appears that 6ix9ine is collaborating with GINÉ Energy on a new energy drink. Shortly after the single dropped, the company went live with an [Instagram page](#) displaying six new flavors. According to the company’s official [website](#), the drinks are “coming soon.”

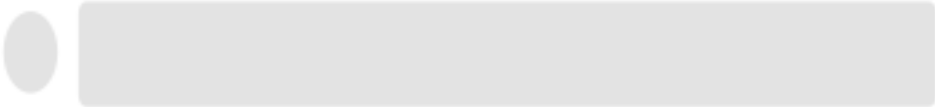
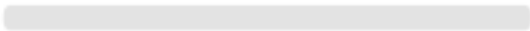
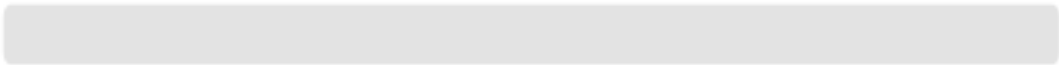
6ix9ine’s latest offering is the first new material he’s released since February 2021, when he returned with his most recent single, “[ZAZA](#).” The track arrived five months after 6ix9ine dropped his sophomore album [TattleTales](#), in September 2020, just a few months after his early release from prison that April.

The controversial rapper [announced](#) his return last week on Instagram, while issuing a warning to the competition.



“I hope everybody enjoyed there 15 minutes,” he wrote. “THE DEMON IS BACK APRIL 15TH. I’m THE BEAST they couldn’t contain. The industry most hated animal. APRIL 15th the KING OF NEW YORK IS COMING BACK. I’m going back home.”

Watch the music video for 6ix9ine’s new single up top, and stream “GINÉ” now on all major platforms.



Popular in the Community



## EXHIBIT F



**HOME > FEATURES > OPINION**

## These Rappers Are Not Rich, Bro

Rap is deeply rooted in outspoken, unapologetic braggadocio, but the extravagance that comes with the entertainment is often misleading.

Yoh Phillips • Updated: Jul 16, 2018 · Original: Jul 12, 2018

The pilot episode of NBC's *The Fresh Prince of Bel-Air* premiered on September 10, 1990. Will Smith—the star of the series—was new to acting, but acclaim as a prominent rap artist made the Philadelphia native a household face before the sitcom first aired. Two years prior to his debut on network television, Smith and his partner-in-music Jeff Townes released their sophomore album, *He's the DJ, I'm the Rapper*, as [DJ Jazzy Jeff](#) & The Fresh Prince. At the time, it was the highest-selling hip-hop album to date.

Selling three million albums gifted the duo plaques made of platinum, and winning hip-hop's first GRAMMY for Best Rap Performance ("[Parents Just Don't Understand](#)") awarded them two gramophones made of gold. Their music videos were constantly televised, and across the nation, their names sold out venues. Measuring their financial prosperity based on these metrics was to assume the two men were as rich as they were famous and successful. To some degree, they were.

This past May, Smith uploaded a video to his YouTube page titled, "How I Became The Fresh Prince of Bel-Air." In it, he admits to financial irresponsibility in the years that followed their enormous breakout. Smith explained how careless, extravagant spending and not paying his taxes depleted all the funds that rap had rewarded him. He went on to encapsulate the awkward contrast between the economic circumstances and his celebrity stature by simply stating, "Being famous and broke is a shitty combination." Smith was strapped for cash, and the world was none the wiser.

Will Smith's private setbacks are telling of what often occurs behind the curtains the public isn't allowed to peek behind. Ironically, the public's perception of a rapper's wealth doesn't factor in unknown variables. For example, during a brief but amusing Twitter Q&A earlier this week, a fan asked rapper [Danny Brown](#) how it feels to be rich. Based on Brown's nearly decade-long career and his reputation as a successful hip-hop artist, there's a reasonable expectation of fortune. An artist of lesser notoriety wouldn't receive this question.

Brown replied, "I'm far from rich bruh bruh."

Another fan followed up by stating that Brown's financial stability was better than someone living paycheck to paycheck. Cleverly, the Detroit emcee replied with a lyric from André 3000's classic second verse from "[Elevators \(Me & You\)](#)":

Through Brown's tweets, it's obvious the conversation André depicted with a former classmate is still relevant 22 years later. In both instances, the misconception of a rapper's status equating to wealth shows the disconnect that exists between an artist's reality and the imagined consensus. Touring expenses, funding, advances, splits, and even unpaid royalties can all have crucial effects on the lives and livelihoods of our favorite artists. Not everything directly affects how much money an artist has the ability to earn, but there are variables that impact how much is actually pocketed.

Having [spent \\$70,000 to clear samples for \*Atrocity Exhibition\*](#)—Brown's fourth studio album—it's entirely possible the album actually lost money, meaning that it cost Brown more to create, market and release the album than he was able to make back through traditional sales (physical, digital) and streaming revenue. Just as there's money to be made in rap, there's money constantly being lost and spent. Yet, the praise of art, not the price of art, is what ultimately takes precedence.

Rap is deeply rooted in outspoken, unapologetic braggadocio, but the extravagance that comes with the entertainment is often misleading. For many rappers, living comfortably or simply quietly maintaining is the goal. No matter what they tell you on wax, each participant and practitioner in and of the culture is dealing with his or her own extremely nuanced situation.

In hip-hop, the topic of money is almost always an armor of boasts. The best braggers can turn their exaggerated claims into entertainment gold. There is an attraction to the bragging, but more often than not realism is lost in the posing of opulence. That's why I appreciate Isaiah Rashad [revealing](#) that it wasn't until fellow TDE rapper Jay Rock's 2016 motorcycle accident, which resulted in Rashad receiving the remainder of Rock's open tour dates, that he able to find his financial footing.

Just like Smith at the beginning of his career, Rashad's financial situation was kept behind closed doors. Based solely on the label he was signed to, and the critical acclaim of his debut, *Cilvia Demo*, from afar one might assume he was—at the bare minimum—doing well. But as should be obvious by now, talent plus fans plus a label deal alongside heavy hitters does not equal financial prosperity.

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## OPINION

## Rappers Are Rejecting Code-Switching

By Dylan Green · Apr 12, 2019

In an [interview](#) with Desus & Mero in April, rapper Lil Yachty called out his peer group for faking the funk: "These rappers are not rich, bro. Like, they not. It's all fake. A facade, bro," he said. Yachty, though? Oh, he's rich. Of course, he is.

The layers of financial hurdles that come with rap as an occupation are rarely explained with absolute transparency. One of the best articles on the subject of music and money is Max Bell's [2016 \*Forbes\* interview](#) with underground rap veteran, [Open Mike Eagle](#). Eagle, who has navigated the industry with and without the assistance of an independent label, with and without a manager, and with and without a booking agent, broke down the importance and impact of these factors and how they've aided in the progress of his profession.

*Using ballpark figures, how much does it cost to make an album in 2016?*

There's a real sliding scale for that. I can make an album for like five grand. The way things are right now, if I put an album out it's getting put in conversations next to people who have a whole lot more money than me. So while I can make a \$5,000 album, that's not really a great idea. If I made a \$10,000 album, it will sound way better. It really depends on how ambitious I'm feeling. I would love to make a \$20,000 album. I would love to be able to afford all of my ideas. I feel like I get put into conversations with people who can afford all of their ideas.

*Do you consistently find that finances are creatively limiting?*

Absolutely. I can't always afford the production I want. I definitely can't afford the post-production that I want--live players to come in and add things, or background vocals. I usually can't afford the kind of things that I can hear. It's very limiting." —"[When Should A Person Rap For Free?' The Life Lessons Of Open Mike Eagle](#)"

The idea of being able to afford an idea is not something that most fans of rap music would consider in the context of revenue generation. Danny Brown's decision to spend \$70,000 on sample clearance is as bizarre and fascinating as the \$85,000 that Kanye West spent to license a photo for the album cover for Pusha-T's *DAYTONA*. At what point is the amount of money being spent on creative ideas excessive? How much do you spend until the investment is no longer a smart one?

Earlier this week, *DJBooth* reported on how Vince Staples' constant touring more often than not has put him in the red (rather than in the black), meaning he's spending more of his own personal finances to create the ultimate live show experience than what he's been able to generate in revenue from those performances. It's a decision that has benefits if you consider the value of providing an unforgettable experience that inspires the sale of merch, physical albums, and repeat concert-ticket purchasing. But it comes at a price.

Touring is currently the most lucrative form of income for any artist. But while the roads are paved in money bags, we rarely hear about how expensive a visually stunning show is to produce. How much did it cost Beyoncé to recreate a NCAA halftime show on the Coachella stage? One million? Two? The music festival reportedly spent \$3 million to secure her headlining spot, according to *Money*. That's a luxury that only a handful of artists can afford—all the resources without a financial ceiling.

The technical expenses that go into the creation of the art are far more enthralling than the diamonds that dance in chains and the candy paint that glosses cars. The most expensive resources aren't available to an artist who is independent of a major budget like Open Mike Eagle, but as he's proven over the years, there's a certain beauty to quality art that is made with ingenuity and creativity in place of endless amounts of money. Look no further than Huey Supreme, an emerging artist from Portsmouth, Virginia, who recently shot the video for his "Dolla Bill" single entirely on an iPhone 7 Plus.

With smartphones capable of recording in 4K and the potential rise of IGTV, artists dabbling videography will become more commonplace, but what caught my eye while watching Huey's video was the vintage texture, the warm colors, and thoughtful editing that could easily be confused for a video shot on a more advanced camera or DSLR and edited to appear 8mm-esque. It's possible to make cost-efficient art that's appealing without appearing visually tawdry. The fascination with the gaudy and luxurious gives charm to videos that are earnest in passion. The same way a rapper can fake rich, he or she can instead put that energy into showcasing how possible it is to do a lot with a little. For underdogs who are battling both the man and the odds, it pays to have a visual that can interest the eye in the same way the raps grab ears.

Will Smith didn't use *The Fresh Prince of Bel-Air* to simply cross over into an acting career; he needed the opportunity as a lifeline for a second chance to correct the carelessness of his past. Smith is proof you can be 3x Platinum and in two years have the fruits of your labor plucked from beneath you. Music is a business, and those who neglect the business will be taught harsh lessons for their negligence.

By placing more emphasis on revealing the role money plays as a tool to fund ideas, or how the lack of a budget requires sacrifice and creativity, we can move further away from the myth that everyone who is famous is rich. Hip-hop will always have secrets, fabrications, and assumptions when it comes to money, but balancing the glory stories with hard truths will hopefully ensure the next crop of artists are learning from and not repeating the mistakes of those who came before them.

## EXHIBIT G

<https://www.therichest.com/luxury/tekashi-fake-money-social-media-millions-debt/>

# Tekashi 6ix9ine Admits To Flashing Fake Money In Social Media Posts

The rapper clarified the prop money was just for show, and that he doesn't have millions of dollars in cash to his name.

[By Alexandra Sakellariou](#) Published 2 days ago

Tekashi 6ix9ine may look like a big spender online, but he recently clarified it's all for show.

Earlier this week, the rapper made waves when he showed off his [luxury car collection](#) on social media in addition to \$2 million in cash.

"THE REAL KING OF NEW YORK !!" he captioned the video. "IM BACK !! ASK THEM POST THERE HOUSE THEY CARS THEY BANK ACCOUNT."

Tekashi continued, "YOU DONT LIVE LIKE THIS I OWN EVERYTHING YOU GUYS LEASE!! I TOOK OFF RAP 2 YEARS!! I COULD DO THAT YALL CAN'T!! THE REAL KING OF NEW YORK!! Tomorrow GINÉ MUSIC VIDEO 3PM EASTERN !!!!"

However, during an appearance on [TMZ Live](#) this Monday, the rapper admitted the cash was only "prop money."

Tekashi explained why he felt compelled to fake his wealth, stating, "I'm an entertainer, and obviously, we are talking about it. So, I did a pretty good job entertaining people."

The rapper currently [has seven-figure debt](#), which may explain his need to admit to using fake money in social media posts. Tekashi owes \$1 million to robbery victims involved in the 2018 criminal case in which he snitched on former friends to get a reduced sentence.

Last month, Tekashi submitted a declaration to the court in which he claimed he doesn't have money to pay back the restitution at this moment.

"Right now, I am struggling to make ends meet," he said, court documents reveal, [All Hip Hop](#) reports. "I do not know if I will ever command the kind of advances I was paid before my arrest, and my career stalled."

On top of that, Tekashi may find he owes even more money if a new lawsuit doesn't work out in his favor. Last week, we reported that [Tekashi is being sued By Streamusic for \\$2 million](#) after skipping out on several scheduled performances.

The music app had enlisted Tekashi to play two shows in Hollywood in December 2021, for which they would pay him \$150,000. But the company claims he ghosted them when they reached out to ask him to promote the shows on social media in the week before.

<https://www.therichest.com/luxury/tekashi-fake-money-social-media-millions-debt/>

Streamusic claims he negotiated with them to re-schedule the concerts for the following month, which he apparently also failed to follow through with. Now, the company is seeking \$2 million in damages and for breach of contract.

Despite his ongoing legal troubles, Tekashi is planning to release a new album, which he teased earlier this month on his Instagram page. "THE DEMON IS BACK APRIL 15TH. I'm THE BEAST they couldn't contain. The industry most hated animal," he wrote. "APRIL 15th the KING OF NEW YORK IS COMING BACK. I'm going back home."

Tekashi's legal cases remain ongoing.



## EXHIBIT H



Sean Kelly

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Nov 28, 2018 · 4 min read · Listen



Save



# The Marketing Genius



Honestly, I don't remember where I was on 9/11, but I do remember where I was when I first heard "Gummo" by 6ix9ine.





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Now, after reading that first sentence...were you at all bothered by what I said? Maybe you found it funny? Truthfully, it doesn't matter. As long as some emotional reaction was triggered, the meta-purpose of this article was achieved. Society loves controversy; point-blank. Pages like [Hoodclips](#) capitalize on controversy in various forms. Generally, society thrives off controversy. From rappers beefing to artists getting persecuted for their allegations, it is a proven fact that *controversy sells*. Really. If you don't believe me, I insist you look up the rapper known as "[6ix9ine](#)". Everything about 6ix9ine, from his music to his branding revolves around the topic of controversial debate, whether he is initiating an Instagram live war with your favorite rapper, tattooing the number '69' on his body, or putting out questionable content on social media, he is constantly in your face- and that "in your face" style of content *works*.

The 21-year-old rapper is of Puerto Rican and Mexican descent. Resembling a twisted mixture of aesthetic, Daniel Hernandez looks like if My Little Pony was adopted by Bloods. From his rainbow hair and outrageous tattoos, he is a living, breathing embodiment of an internet meme and icon. This iconic meme status has been a massive leverage point for 6ix9ine. He utilizes his controversial appearance toward his brand; Hernandez adopts strategies of his viral marketing tactics from iconic meme pages such as [Hoodclips](#).

6ix9ine's rise to fame was built off the ever-so-growing meme culture cultivated from Instagram pages like [Hoodclips](#). [Hoodclips](#)' massive Instagram following, boasting a follower count of over 10 million people, grows *everyday*, and has insurmountably contributed to its individual growth as a premier destination for comedy, memes, and entertainment.

What is a meme?





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*Pictured: 6ix9ine running with gun, half-naked “meme”*

By modern definition, a meme is: *a humorous image, video, piece of text, etc., that is copied (often with slight variations) and spread rapidly by Internet users (Oxford)*. A meme is controversial. A meme is intentional in how it warrants a cause for reaction. Scale that idea- a meme page has the power to seduce a viewer’s attention for hours on end. So what can we observe in comparison between “6ix9ine” & Hoodclips?

Let’s textually *compare* their relationship to one another.

### **1. Both are well known throughout the younger generation.**

Their target audience tends to focus on connecting with the millennial and Gen Z-ers. This generational stranglehold is effective by posting content that overlaps relevance with the current pulse of music, media, and trends. It is to be noted that memes are often short lived. The sheer power of a meme is completely contingent on its ability to be re-interpreted, re-created, and essentially- recycled.

### **1. Both post consistently meme-able content.**





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Daily social media posts keep their respective fans engaged by planting a subconscious thought in their viewers' brains that they will wake up with fresh content on their feed everyday from either given source.

### 1. Both captivate their audience through humor and controversy.

Most of the content found on pages like "[6ix9ine](#)" or [Hoodclips](#) can be generally labeled as "comedy" or "entertainment". Their content is humorous and (or) controversial, causing an emotional reaction from the viewer. This **call-to-action** is perhaps the most powerful tool these pages capitalize on to sustain their consistent, rapid growth.

### 1. Both are unforgiving; they seem to simply not care, in general.

Trust me: these guys DO NOT CARE what you think. Their content is created and posted with clear intent to "stir the pot", giving users freedom to react, debate, and discuss the fresh memes on tap. **Brand establishment** is a **major key** here- "[6ix9ine](#)" & [Hoodclips](#) are kings of controversy. There is something inherently tempting about an eye-catching, shocking thumbnail. Your brain's serotonin receptors are bound to endure a dopamine rush upon meme-consumption. It's really as simple as it sounds: make shocking content, generate shock-based reactions from real people. In truth, nothing "[6ix9ine](#)" or [Hoodclips](#) is an original business model, rather, an improved version of pre-social media virality. Instead of relying on television or popular newspapers, their meme is broadcasted to millions in seconds, due to the Instant Gratification nature of Instagram's current interface.



The marketing genius behind [Daniel Hernandez](#) and CEO [Sadiq](#) of [Hoodclips](#) leaves us with a wealth of data to analyze, assess, and apply. The framework and fundamental success of these accounts is more than noteworthy; the revolution of memes famously kick-started by alternative social media platforms like Reddit or 4chan has invaded the more common denominators. Instagram, Twitter, and Facebook will never operate the same. With fast food brands like Wendy's & McDonalds deeply invested in the newfangled culture of "Swipe Up" related content, we could very well be in **peak meme era**.

